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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,529	03/19/2007	Choon Geun Cho	05-476-C	9262
20306 7590 01/16/2009 MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP 300 S. WACKER DRIVE 32ND FLOOR CHICAGO, IL 60606				
EXAMINER JAMA, ISAAK R				
ART UNIT 2617		PAPER NUMBER		
MAIL DATE 01/16/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/567,529

Applicant(s)

CHO, CHOON GEUN

Examiner

ISAAK R. JAMA

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-11 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 07 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 1 objected to because of the following informalities: Claim 1 recites ".....a radio frequency identification (RFID) processing element for providing persona information..." Persona should read personal. Appropriate correction is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent Number 7,212,829 (Lau et al.) in view of U.S. Patent Number 5,874,897 (Klempau et al.), further in view of U.S. Patent Number 6,975,941 (Lau et al.) and further in view of the instant Application's admitted prior art.
3. Regarding claims 1, 2, 6, 7, 10 and 11 Lau teaches an apparatus for tracking the position of a person/object by using a mobile communication network comprising a plurality of terminals **[Figure 9, # 902 – Lau '829]**, a base station, a switching center **[Figure 9, # 904, i.e. the wireless network is generally known to include base stations and mobile switching centers – Lau '829]**, and a position information management server **[Figure 9, # 908 – Lau '829]**, the apparatus comprising: a position information extracting element for receiving position information from a GPS satellite

and outputting the position information [Columns 12 and 13, lines 66-67 and 1-2 – Lau '829], Lau further teaches a radio frequency identification (RFID) processing element for providing personal information [Figure 9, # 922, Column 14, lines 57-61 – Lau '829]; in addition, Lau teaches an object tracking system whereby a message can be a voice or text message (i.e. messaging that uses SMS), or other form of data, that simply requests the mobile communication device to get its present location [Figure 2, column 15, lines 31-33 – Lau '829]. But Lau '829 does not specifically teach that the apparatus includes an emergency call button for outputting an emergency call selection signal when a user performs a push action in case of an emergency; a memory for storing an emergency message and an external notification audio data. Klempau teaches an emergency-reporting system for rescue operation whereby a patient data unit includes an emergency call button for outputting an emergency call selection signal when a user performs a push action in case of an emergency [Figure 1, # 14, column 2, lines 23-25 – Klempau]; a memory for storing an emergency message [Figure 1, # 3, column 2, lines 48-53 – Klempau] and an external notification audio data [Figure 1, # 11, column 2, lines 20-23 – Klempau]; and a controller [Figure 1, # 3] for performing the following actions: producing a current position by using the position information extracting element upon receiving a position information call instruction and transmitting the position information to the position information management server; reading the external notification audio data stored in the memory upon receiving an external notification instruction from the position information management server; reading an emergency message stored in the memory when the emergency call selection signal

has been inputted from the emergency call button and transmitting the same together with the current position information of the user to the position information management server **[Figure 1, #s 3, 6 and 10, column 2, lines 48-53 - Klempau]**; and performing position registration in the HLR by determining position registration using an embedded distance/time standard timer; and a speaker for receiving the external notification audio data including the current emergency of the user and its measures from the controller and audibly projecting out the same **[Figure 2, #s 202, 210 and 214; columns 5 and 6, lines 66-67 and 1-7 – Lau '941]**. Lau '941 also teaches that using a position detection unit, position information is acquired 508. Thereafter, the position detection unit is deactivated 510. Here, in order to conserve power, the position detection unit remains inactive, which can pertain to powered-off, disabled, sleep, hibernate, or other low power mode **[Figure 5, column 9, lines 62-67 –Lau '941]**. While the instant application's disclosed prior art teaches that the mobile communication system comprises: mobile communication terminals that can be carried by users; base station transmission systems (BTSs) established in individual regions; a plurality of base station controllers (BSCs) for controlling the BTSs; and a mobile switching center (MSC) for performing various switching operations in connection with the plurality of BSCs **[Page 1, paragraph 0002 – admitted prior art]**, in addition, the instant application's disclosed prior art teaches that as a result of constant improvement in the mobile communication service, there have been developed various services such as wireless telephone calls, short message switching services using a short message service (SMS), internet information providing services, and position tracking services for tracing the position of a

mobile communication terminal and warning a guardian of the user's emergency, etc.

[Page 1, paragraph 0002 - admitted prior art], as well as a CDMA wireless transmission and reception element for performing basic CDMA wireless transmissions and receptions in the mobile communication network **[Page 1, paragraph 0006 - admitted prior art]**. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have the combined systems of Klempau, Lau '941 and the admitted prior art in the system Lau '829 in order to accurately ascertain the position of an object.

4. Regarding claim 3, Lau '941 further teaches a method for tracking the position of a person/object where the terminal to determine whether an instruction for position registration is requested from the base station; for the terminal to register current position information to the HLR, and then proceed in case the instruction for position registration is requested from the base station **[column 7, lines 16-35]**; for the terminal to determine whether the distance standard timer is finished in case the instruction for position registration is not requested from the base station; for the terminal to proceed in case the distance standard timer is not finished, and to compute current position and shifted distance from a starting point to a finishing point of the distance standard timer to in case the timer is finished; for the terminal to determine whether shifted distance from the starting point to the finishing point of the distance standard timer is more than a first critical value; for the terminal to proceed and to register current position information in case shifted distance from the starting point to the finishing point of the distance standard timer is more than the first critical value, and to determine whether the time

standard timer is finished in case shifted distance is less than the first critical value; a terminal to compute current position and shifted distance from the starting point to the finishing point of the time standard timer, in case the time standard timer is finished; and a terminal to determine whether shifted distance from the starting point to the finishing point of the time standard timer is more than a second critical value, to proceed in case shifted distance is more than the second critical value, and to register current position information **[Column 8, lines 25-58]**, furthermore, and in regarding to claim 4, Lau '941 further teaches method for tracking the position of a person/object wherein the method further comprises a step for the terminal to have a distance standard timer initialized, and then to proceed in case the time standard timer is not finished **[Figure 4, column 8, lines 25-36]**. Regarding claim 5, Lau '941 further teaches method for tracking the position of a person/object wherein the method further comprises a step for the terminal to have the time and distance standard timer initialized, and then to proceed in case shifted distance from the starting point to the finishing point of the time standard timer is less than the second critical value **[Figure 6, column 11, lines 6-14]**. And in regard to claim 8, Lau '941 further teaches a method for tracking the position of a person/object wherein the method further comprises a terminal to produce current position information, to notify the HLR (i.e. a remote device) of current position information, and then to finish a process in case the user tries to power off at any time during each of the steps **[Figure 6, steps 602-612]**. And finally, and in regard to claim 9, Lau '941 further teaches a method for tracking the position of a person/object, wherein the first critical value is set to be more than a distance standard position registration optimum

parameter, the second critical value is set to be less than a time standard position registration optimum parameter, which is used in a current mobile communication terminal respectively [Figure 5, steps 502 and 504]. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the method of Lau '941 in the combined systems of Lau '829, Klempau and the admitted prior art in the system in order determine the location of a transceiver.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent Number 7,439,856 (Weiner et al.) teaches a health care patient status event processing and reporting. U.S. Patent Number 7,366,522 (Thomas) teaches a method and system for location tracking. U.S. Patent Number 6,292,687 (Lowell et al.) teaches a medical emergency response and locating system. U.S. Patent Number 6,879,819 (Brooks) teaches a control and messaging during emergency calls.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ISAAK R. JAMA whose telephone number is (571)270-5887. The examiner can normally be reached on 7:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/IRJ/

/Lester Kincaid/

Supervisory Patent Examiner, Art Unit 2617